

EXHIBIT A

ORIGINAL

1 SUMM
2 RAMZY PAUL LADAH, ESQ.
3 Nevada Bar No. 11405
4 ANTHONY L. ASHBY, ESQ.
5 Nevada Bar No. 4911
6 LADAH LAW FIRM
7 517 S. Third Street
8 Las Vegas, NV 89101
9 litigation@ladahlaw.com
10 T: 702.252.0055
11 F: 702.248.0055
12 Attorneys for Plaintiff

13 DISTRICT COURT

14 CLARK COUNTY, NEVADA

15 JAYLA JOHNSON and
16 UNIQUE WILSON,

CASE NO. A-17-750231-C

17 Plaintiffs,

DEPT. NO. XXXI

18 vs.

CIVIL SUMMONS

19 RICHARD LEON PEREZ; WAL-MART
20 TRANSPORTATION, LLC; DOES 1 through
21 X, inclusive and ROE BUSINESS ENTITIES
22 I through X, inclusive,

23 Defendants.



24 NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST
25 YOU WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND WITHIN 20 DAYS.
26 READ THE INFORMATION BELOW.

27 TO DEFENDANT:

28 **WAL-MART TRANSPORTATION, LLC**
c/o Registered Agent
The Corporation Trust Company of Nevada
701 S Carson St. Ste. 200
Carson City, NV 89701

29 A civil Complaint has been filed by the Plaintiff against you for the relief set forth in the
30 Complaint.

31 1. If you intend to defend this lawsuit, within 20 days after this Summons is served
32 on you, exclusive of the day of service, you must do the following:

(a) File with the Clerk of this Court, a formal written response to the Complaint in accordance with the rules of the Court. A \$30.00 filing fee is required.

(b) Serve a copy of your response upon the attorney whose name and address is shown below.

2. Unless you respond, your default will be entered upon application of the Plaintiff and failure to so respond will result in a judgment of default against you for the relief demanded in the Complaint, which could result in the taking of money or property or other relief requested in the Complaint.

9 3. If you intend to seek the advice of an attorney in this matter, you should do so
10 promptly so that your response may be filed on time.

4. The State of Nevada, its political subdivisions, agencies, officers, employees,
board members, commission members and legislators each have 45 days after service of this
Summons within which to file an Answer or other responsive pleading to the Complaint.

DATED this _____ day of January, 2017. CLERK OF THE COURT

CLERK OF THE COURT

Deputy Clerk

MICHELLE MCCARTHY

JAN 3 0 2017

Respectfully submitted by:
LADAH LAW FIRM

RAMZY PAUL LABAH, ESQ.
Nevada Bar No. 11405
ANTHONY L. ASHBY, ESQ.
Nevada Bar No. 4911
JOSEPH CHU, ESQ.
Nevada Bar No. 11082
517 S. Third Street
Las Vegas, NV 89101
Attorneys for Plaintiff

Electronically Filed
01/30/2017 08:20:15 AM

Steve T. Johnson

CLERK OF THE COURT

1 COMP
2 RAMZY PAUL LADAH, ESQ.
3 Nevada Bar No. 11405
4 ANTHONY L. ASHBY, ESQ.
5 Nevada Bar No. 4911
6 LADAH LAW FIRM
7 517 S. Third Street
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F: 702.248.0055
Attorneys for Plaintiff

DISTRICT COURT

CLARK COUNTY, NEVADA

10 JAYLA JOHNSON and
11 UNIQUE WILSON,

Plaintiffs,

12 vs.

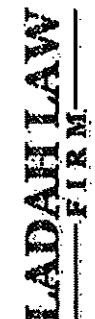
13 RICHARD LEON PEREZ; WAL-MART
14 TRANSPORTATION, LLC; DOES I through
X, inclusive and ROE BUSINESS ENTITIES
15 I through X, inclusive,

Defendants.

CASE NO. A-17-750231-C

DEPT. NO. XXXI

COMPLAINT



17 COMES NOW the Plaintiffs JAYLA JOHNSON and UNIQUE WILSON (hereinafter
18 "Plaintiffs"), by and through their counsel of record RAMZY P. LADAH, ESQ. and ANTHONY
19 L. ASHBY, ESQ., with the LADAH LAW FIRM, and for their claims of relief against the
20 Defendants, and each of them, alleges and complains as follows:

JURISDICTION

21 1. At all times relevant hereto, Plaintiffs were and still are residents of the County of
22 Clark, State of Nevada.

23 2. At all times relevant hereto, Defendant RICHARD LEON PEREZ (hereinafter
24 "PEREZ") was a resident of Lindsay, California.

1 3. At all times relevant hereto, Defendant WAL-MART TRANSPORTATION, LLC
2 (hereinafter "WAL-MART") was and still is a foreign limited-liability company duly licensed to
3 conduct business in the State of Nevada.

4 4. That the true names and capacities of the Defendants DOES I through X,
5 inclusive, are unknown to Plaintiffs, who, therefore, sues said Defendants by said fictitious
6 names. Plaintiffs are informed, believe and thereon allege that each of the Defendants
7 designated as DOES I through X are owners, operators and/or individuals or agencies otherwise
8 within possession and control of the motor vehicle herein mentioned and/or are individuals
9 otherwise within the flow of traffic as related hereto. Plaintiffs are informed, believe and thereon
10 allege that Defendants ROE BUSINESS ENTITIES I through X, are owners of the motor vehicle
11 herein alleged and/or are in some manner responsible for the actions of its employees and/or
12 assigns of Defendants designated as ROE BUSINESS ENTITIES I through X. Plaintiffs are
13 informed, believe and thereon allege that each of the Defendants designated as a DOE or a ROE
14 BUSINESS ENTITY is in some manner negligently, vicariously, statutorily, contractually,
15 and/or otherwise responsible for the events and happenings referred to and caused damages
16 proximately to Plaintiffs as herein alleged. Plaintiffs will ask leave of the Court to amend this
17 Complaint to insert the true names of such Defendants when the same have been ascertained.

GENERAL ALLEGATIONS

19 5. Plaintiffs repeat and reallege each and every fact and allegation contained in this
20 Complaint and incorporate the same herein by reference as though fully set forth herein
21 verbatim.

22 6. At all times relevant hereto, particularly on or about February 10, 2015, Plaintiff
23 Unique Wilson was the operator of a 2004 Land Rover Range Rover, which was lawfully
24 travelling eastbound on Cheyenne Avenue all in Clark County, State of Nevada. Plaintiff Jayla
25 Johnson was a passenger in the same 2004 Land Rover Range Rover at the same time and place.

26 . . . 7. At all times relevant hereto, Defendant WAL-MART was the owner of a 2013
27 semi tractor-trailer truck (hereinafter "Defendants' truck").

8. At all times relevant hereto, Defendant PEREZ, while in the course and scope of his employment and/or agency, was operating Defendants' truck with the consent, permission and acquiescence of Defendant WAL-MART.

4 9. At all times relevant hereto, Defendant PEREZ was driving Defendants' truck,
5 travelling eastbound on Cheyenne Avenue, directly behind Plaintiffs' vehicle, all in Clark
6 County, State of Nevada.

7 10. At all times relevant hereto, Defendant PEREZ, failed to slow down for traffic
8 conditions and collided into the rear of Plaintiffs' vehicle.

9 11. At all times relevant hereto, Plaintiffs sustained significant injuries as a result of
10 Defendants' actions and the aforesaid collision.

FIRST CAUSE OF ACTION
(Negligence / Negligence Per Se)

13 12. Plaintiffs repeat and reallege each and every fact and allegation contained in this
14 Complaint and incorporate the same herein by reference as though fully set forth herein
15 verbatim.

16 13. At all times relevant hereto, Defendant PEREZ's negligence caused the collision
17 between Plaintiffs' vehicle and Defendants' truck resulting in significant injuries to Plaintiffs.

18 14. At all times relevant hereto, Nevada Revised Statutes were designed and enacted
19 to protect a class of persons, in particular motorists, to which Plaintiffs belonged, and Plaintiffs'
20 damages were the type of harm the Nevada Revised Statutes were designed and enacted to
21 prevent.

22. 15. As a result of Defendant PEREZ's aforesaid negligent actions and/or failures to
23. act Defendant PEREZ violated Nevada Revised Statutes and is, therefore, negligent per se.

16. As a direct and proximate result of Defendant's aforesaid actions, Plaintiffs were
injured in their health, strength and activity, sustained injury to their body and shock and injury
to their person all of which has caused and will continue to cause Plaintiffs' pain and suffering.

27 17. As a direct and proximate result of Defendants' aforesaid actions, Plaintiffs have
28 incurred and continue to incur emotional distress, pain and suffering, loss of enjoyment of life.



1 loss of household services, lost wages, lost earning capacity, medical expenses, and future
2 medical expenses, all to Plaintiffs' general and special damages in an amount in excess of fifteen
3 thousand dollars (\$15,000.00).

4 18. As a direct and proximate result of Defendants' aforesaid actions, it has been
5 necessary for Plaintiffs to retain LADAH LAW FIRM to prosecute this action, and Plaintiffs are
6 entitled to recover reasonable attorneys' fees and costs.

7 **SECOND CAUSE OF ACTION**
8 (Negligent Entrustment / Joint & Several Liability / Agency
Respondeat Superior / Vicarious Liability)

9 19. Plaintiffs repeat and reallege each and every fact and allegation contained in this
10 Complaint and incorporate the same herein by reference as though fully set forth herein
11 verbatim.

12 20. At all times relevant hereto, Defendant WAL-MART owned, maintained, and
13 controlled Defendants' truck, which was driven by Defendant PEREZ.

14 21. At all times relevant hereto, Defendant WAL-MART or by its employees, agents
15 or assigns, negligently, carelessly and recklessly allowed Defendant PEREZ to operate
16 Defendants' truck.

17 22. At all times relevant hereto, Defendant WAL-MART or by its employees, agents or
18 assigns, had knowledge that Defendant PEREZ was unfit to drive the subject vehicle and yet
19 allowed Defendant PEREZ to drive the subject vehicle that it owned.

20 23. At all times relevant hereto, Defendant WAL-MART or its employees, agents or
21 assigns, negligently, carelessly and recklessly maintained and controlled its employees, agents or
22 assigns, thereby causing the subject collision.

23 24. At all times relevant hereto, Defendant PEREZ was acting within the course and
24 scope of his employment, services or agency with Defendant WAL-MART when the subject
25 collision occurred.

26 25. At all times relevant hereto, Defendant PEREZ was acting within the course and
27 scope of his employment, services or agency with Defendant WAL-MART when the subject
28 collision occurred and acted negligently, thus each and every other Defendant, including but not

1 limited to, Defendant WAL-MART, and DOE and ROE Defendants, are vicariously liable for
2 the injuries sustained by Plaintiffs as alleged above.

3 26. As a direct and proximate result of the aforesaid acts and/or inactions of
4 Defendants WAL-MART or by its employees, agents or assigns, were breaches of the duty of
5 reasonable care owed by Defendant to its customers and to the general public, and in particular
6 to Plaintiffs.

7 27. As a direct and proximate result of Defendant's aforesaid actions, Plaintiffs were
8 injured in their health, strength and activity, sustained injury to their body and shock and injury
9 to their person, all of which have caused and will continue to cause Plaintiffs pain and suffering.

10 28. As a direct and proximate result of Defendant's aforesaid actions, Plaintiffs have
11 incurred and continue to incur emotional distress, pain and suffering, loss of enjoyment of life,
12 loss of household services, lost wages, lost earning capacity, medical expenses, and future
13 medical expenses, all to Plaintiffs' general and special damages in an amount in excess of fifteen
14 thousand dollars (\$15,000.00).

15 29. As a direct and proximate result of Defendant's aforesaid actions, it has been
16 necessary for Plaintiffs to retain LADAH LAW FIRM to prosecute this action, and Plaintiffs are
17 entitled to recover reasonable attorneys' fees and costs.

18 **THIRD CAUSE OF ACTION**
19 (Negligent Hiring, Training, Supervision and Policies/Procedures)

20 30. Plaintiffs repeat and reallege each and every fact and allegation contained in this
21 Complaint and incorporate the same herein by reference as though fully set forth herein
22 verbatim.

23 31. At all times relevant hereto, Defendants, and each of them, acted negligently,
24 among other reasons, in failing to do the following.

25 i. Establish and implement proper policies and procedures for employees,
26 staff and agents working for them;
27 ii. Properly, responsibly and prudently hire employees;



iii. Properly, responsibly and prudently investigate employees before hiring them;

iv. Properly, responsibly and prudently supervise and/or manage employees once they were hired;

v. Properly, responsibly and prudently train employees or instruct them as to their duties;

vi. Properly, responsibly and prudently supervise, monitor and regulate the conduct of employees.

vii. Properly, responsibly and prudently supervise, monitor and properly and safely regulate and maintain their vehicles;

32. As direct and proximate result of Defendant's aforesaid actions, Plaintiffs were
injured in their health, strength and activity, sustained injury to their body and shock and injury
to their person, all of which have caused and will continue to cause Plaintiffs pain and suffering.

4 33. As a direct and proximate result of Defendant's aforesaid actions, Plaintiffs have
5 incurred and continue to incur emotional distress, pain and suffering, loss of enjoyment of life,
6 loss of household services, lost wages, lost earning capacity, medical expenses, and future
7 medical expenses, all to Plaintiffs' general and special damages in an amount in excess of fifteen
8 thousand dollars (\$15,000.00).

WHEREFORE, Plaintiffs pray for relief against the Defendants, and each of them, for each cause of action as follows:

1. For general damages and loss in an amount in excess of \$15,000.00;
2. For special damages in an amount in excess of \$15,000.00;
3. For property damages;
4. Interest and costs incurred by the Plaintiffs in bringing his claims.
5. For attorney's fees and costs; and

6. For such other and further relief as the Court may deem just and proper.

DATED this 30th day of January, 2017.

LADAH LAW FIRM

/s/ Ramzy P. Ladah, Esq.

RAMZY PAUL LADAH, ESQ.
Nevada Bar No. 11405
ANTHONY L. ASHBY, ESQ.
Nevada Bar No. 4911
517 S. Third Street
Las Vegas, NV 89101
Attorneys for Plaintiffs

LADAH LAW
FIRM





TO: Kim Lundy Service of Process, Legal Support Supervisor
Wal-Mart Stores, Inc.
702 SW 8th St, MS#0215
Bentonville, AR 72716-6209

RE: **Process Served in Nevada**

FOR: Wal-Mart Transportation, LLC (Domestic State: DE)

**Service of Process
Transmittal**

01/31/2017
CT Log Number 530611924

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Johnson Jayla and Unique Wilson, Pltfs. vs. Richard Leon Perez, et al., Dfts. // To: Wal-Mart Transportation, LLC

DOCUMENT(S) SERVED: Summons, Complaint

COURT/AGENCY: Clark County District Court, NV
Case # A17750231C

NATURE OF ACTION: Personal Injury - Vehicle Collision - 02/10/2015

ON WHOM PROCESS WAS SERVED: The Corporation Trust Company of Nevada, Carson City, NV

DATE AND HOUR OF SERVICE: By Process Server on 01/31/2017 at 14:00

JURISDICTION SERVED : Nevada

APPEARANCE OR ANSWER DUE: Within 20 days after service, exclusive of day of service

ATTORNEY(S) / SENDER(S): Ramzy Paul Ladah
Ladah Law Firm
517 S. Third Street
Las Vegas, NV 89101
702-252-0055

ACTION ITEMS: CT has retained the current log, Retain Date: 02/01/2017, Expected Purge Date: 02/06/2017

Image SOP

Email Notification, Kim Lundy Service of Process ctlawsuits@walmartlegal.com

SIGNED:
ADDRESS: The Corporation Trust Company of Nevada
701 S Carson St.

TELEPHONE: Suite 200
Carson City, NV 89701-5239
314-863-5545